

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RICHARDO LEE

Case No. 1:12-cv-381

Plaintiff,

Barrett, J.
Bowman, M.J.

v.

SIMON LEIS, JR. et al.,

Defendants.

REPORT AND RECOMMENDATION

Plaintiff, an inmate at the Hamilton County Justice Center (HCJC) in Cincinnati, Ohio, initiated this action pursuant to 42 U.S.C. § 1983 alleging a violation of his constitutional rights. Plaintiff now moves to dismiss this action with prejudice. (Doc. 11). Plaintiff's motion asserts that "the proper resolution has been agreed to and its appropriate that the complaint be dismissed at this time in its entirety." *Id.* Plaintiff's motion also attaches a letter addressed to the Clerk stating that "I cannot fight against the whole justice center by myself with no protection given by the Court so I'm dismissing the case." (Doc. 11 at 3). Accordingly, for good cause shown and based upon the language in Plaintiff's correspondence to the Clerk, the undersigned herein **RECOMMENDS** that Plaintiff's motion to dismiss (Doc. 11) be **GRANTED** and this case be dismissed *without prejudice* from the active docket of this Court.

s/ Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report and Recommendation (“R&R”) within **FOURTEEN (14) DAYS** of the filing date of this R&R. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN (14) DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).